

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

THE CITY OF BRISTOL, TENNESSEE,)

Plaintiff,)

v.)

THE CITY OF BRISTOL, VIRGINIA,)

Defendant.)

Case No.: 1:22-cv-00023-JPJ

**DEFENDANT’S MOTION FOR AN EXTENSION OF TIME TO RESPOND TO
PLAINTIFF’S COMPLAINT**

The City of Bristol, Virginia (“Defendant”), by counsel, respectfully submits this Motion that the Court enters an Order extending the time to plead or otherwise respond to Plaintiff’s Complaint and provide initial disclosures as required by Federal Rule of Civil Procedure 26(a)(1) up to and including Wednesday, August 31, 2022. In support of its Motion, Defendant states as follows:

1. Plaintiff filed its Complaint on May 26, 2022.
2. Defendant retained new counsel, McGuireWoods, on August 1, 2022.
3. As of now, Defendant is required to respond to Plaintiff’s Complaint and provide its Rule 26(a)(1) initial disclosures on August 10, 2022.
4. McGuireWoods, as new counsel, seeks an extension of time to review the matter and prepare a responsive pleading.

5. Counsel for Defendant, Justin Howard, conferred with Plaintiff's counsel on August 2, 2022, to introduce himself and to tell Plaintiff's counsel that McGuireWoods had been retained and would be substituted in as counsel of record for the Defendant.
6. At that time, counsel for Defendant requested a 30-day extension to the August 10, 2022, due date to respond to Plaintiff's Complaint. Counsel for Defendant also indicated to counsel for Plaintiff that any extension to the due date to respond to the Plaintiff's Complaint would be appreciated.
7. On August 3, 2022, Plaintiff's counsel informed Defendant's counsel that it would not consent to any extension to the due date for Defendant's responsive pleadings.
8. At this time, Defendant requests this Court to extend by twenty-one days its due date to plead or otherwise respond to Plaintiff's Complaint and provide its Rule 26(a)(1) initial disclosures from August 10, 2022, to August 31, 2022.
9. A proposed order is filed herewith.

WHEREFORE, Defendant The City of Bristol, Virginia respectfully requests that the Court grant this Motion to enter an Order extending the time to plead or otherwise respond to Plaintiff's Complaint and provide initial disclosures as required by Federal Rule of Civil Procedure 26(a)(1) up to and including Wednesday, August 31, 2022.

Dated: August 3, 2022

Respectfully submitted,

THE CITY OF BRISTOL, VIRGINIA

/s/ Justin D. Howard
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*Counsel for Defendant, The City of Bristol,
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CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2022, I caused the foregoing to be filed with the Clerk of the U.S. District Court for the Western District of Virginia using the Court's CM/ECF system, which will electronically serve copies of the same on counsel for all parties.

/s/ Justin D. Howard

Counsel for Defendant The City of Bristol, Virginia